



7/21

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Migaku SUZUKI et al.

Group Art Unit: 3761

Application No.: 10/538,786

Examiner: K. REICHLE

Filed: June 14, 2005

Docket No.: 124247

For: ABSORBENT PRODUCT WITH NONPERMEABLE SURFACE SHEET

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the April 25, 2008 Notice of Non-Compliant Amendment (hereinafter Notice), Applicants respectfully resubmit a revised version of the January 28, 2008 Amendment as revised in accordance with the Notice and in compliance with C.F.R. § 1.121 and 1.4. No new matter is added by the revised version.

Applicants traverse the following matters raised in the Notice.

The Notice asserts that Figs. 30 (A) and (B) should be labeled as "Prior Art." However, figures are not required to be labeled specifically as "Prior Art." Therefore, the label "Related Art" on Figs. 30 (A) and (B) is proper. Moreover, Applicants submit that this is not a grounds by which to refuse to enter an Amendment as non-compliant.

The Notice also asserts that claim 1 is not enabled and indefinite. However, Applicants submit that these reasons are also not proper grounds upon which to refuse entry of the Amendment. If the Patent Office believes that the claims are not enabled and/or

indefinite, these issues should be addressed in an Office Action, rather than a Notice of Non-Compliant Amendment.

Applicants' representative attempted to contact Examiner Reichle to discuss these issues, prior to submitting this response. However, the Examiner was not available.

Should the Examiner have any questions regarding this submission, or believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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James E. Golladay, II
Registration No. 58,182

JAO:KXH/hms

Date: May 27, 2008

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AMENDMENT

Commissioner for Patents
P.O. Box 1450
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Sir:

In reply to the September 27, 2007 Office Action, the shortened statutory period being extended by the attached Petition for Extension of Time, please consider the following:

Amendments to the Specification;

Amendments to the Claims as reflected in the listing of claims;

Formal Drawings; and

Remarks.